



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 8, 2008

BY FACSIMILE

Honorable George B. Daniels
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

SC 0000070

The conference is rescheduled
for May 28, 2008 at 9:45 a.m.

APR 10 2008 *George B. Daniels*
HON. GEORGE B. DANIELS

Re: United States v. Carmen Cicalese et al.
07 Cr. 1125

Dear Judge Daniels:

The Government writes with regard to the status of the above-referenced case. A conference is presently scheduled for April 16, 2008, but the Government – after consulting with all defense counsel – proposes adjourning the conference as described in more detail below. Several defendants have indicated that they wish to plead guilty and the remainder need more time for plea discussions. Specifically, the Government proposes the following schedule (after consulting with your law clerk and defense counsel regarding available dates):

- April 29, 2008 – 9:30 a.m. – plea of Federico Sementini; 10:00 – plea of Carl Muraco
- April 30, 2008 – 10:15 a.m. – plea of Langhorn Carter Rorer
- May 6, 2008 – 10:00 a.m. – plea of Marc Group; 10:30 a.m. – potential plea or conference for Louis Santos
- May 8, 2008 – 10:00 a.m. – plea of Keith Eagle; 10:30 a.m. – plea of Andrew Farro

With respect to defendants Julius Migdal and Patrick Cicalese, the Government is still engaged in plea discussions and these parties request a conference the week of May 26, 2008 to serve as a control date in the event that no plea is reached prior to that date.

In the event that any of the above dates are no longer convenient for the Court, I will be happy to arrange new dates with defense counsel and your law clerk.

The Government seeks an exclusion of time until a conference set during the week of May 26, 2008 (or at such time thereafter convenient for the Court) so that the parties can pursue

these discussions. I have spoken to counsel for each defendant, all of whom consent to an exclusion of time until the date of that defendant's scheduled plea or appearance. The Government submits that time should be excluded under 18 U.S.C. § 3161(h)(8)(A) in the interests of justice is in the interests of justice and outweighs the needs of the defendants or public in a speedy trial.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: James DiPietro, Esq.
(counsel for Keith Eagle)

John Bruno, Esq.
(counsel for Andrew Farro)

Kenneth Schreiber, Esq.
(counsel for Marc Group)

David Cohen, Esq.
(counsel for Julius Migdal)

Ivan Fisher, Esq.
(counsel for Carl Muraco)

Anthony Siriano, Esq.
(counsel for Francis Pugliese)

Anthony Como, Esq.
(counsel for Federico Sementini)

John Mitchell, Esq.
(counsel for Louis Brown)

TOTAL P.003